REMARKS

Reconsideration and allowance of the subject patent application are respectfully requested.

Claims 7 and 21 were objected to on the basis of minor informalities. The language of claim 7 (now incorporated into claim 1) and claim 21 have been amended as kindly suggested by the Examiner. Consequently, withdrawal of this objection is respectfully requested.

Claims 1, 3, 6-9, 24 and 25 were rejected under 35 U.S.C. Section 112, second paragraph, as allegedly being indefinite. The claims have been amended to address the issues raised in the office action and withdrawal of the Section 112, second paragraph, rejection is respectfully requested.

Claim 24 has been amended to describe a program "tangibly embodied on a computer-readable medium" and withdrawal of the Section 101 rejection of this claim is respectfully requested.

Claims 1-3, 6, 8, 9 11, 13, 14 and 24 were rejected under 35 U.S.C. Section 102(e) as allegedly being anticipated by Fenstemaker et al. (U.S. Patent No. 6,490,684). While not acquiescing in this rejection, claims 1 and 24 have been amended to incorporate the subject matter of claim 7 which involves postponing the expiration of the trial period of a function. Example non-limiting support for this feature is provided in the subject patent application by Figure 12 and the accompanying description (see, e.g., page 25, line 8 et seq.). This feature is admittedly not present in Fenstemaker et al. See 3/23/2006 Office Action, page 11. Consequently, Fenstemaker et al. does not anticipate claim 1 or claim 24 or any claims that depend therefrom.

The office action references Swix et al. (U.S. Patent No. 6,609,253) in connection with postponing the expiration of a time period until after a job is completed. However, Applicants respectfully submit that Swix et al. does not teach or suggest this feature. Instead, Swix et al. merely teaches disabling a VCR control of an interactive media service when the remining time of a viewed program is the same as a remaining allowed period for viewing that program. See Swix et al., col. 3, line 60 to col. 4, line 14.

In particular, Swix et al. describes control of an interactive media system. A time window for viewing is provided which corresponds to the length of a program which has been ordered and an additional grace period. While watching, the user can perform VCR-like control (rewind, pause, fast-forward, etc.). However, if the remaining time of the program is equal to the remaining time in the time window, certain VCR-like controls are disabled (rewind and pause, for example). This ensures that the program will finish within the time window, since the remaining time in the window corresponds to the remaining time of the program and the user is prevented from extending the remaining time of the program (by pausing or rewinding, for example). If the program is fast-forwarded, the remaining time in the time window will be longer than the remaining time in the program, and so the pause and rewind functions would be reinstated. The effect of the device of Swix et al. is that pause and rewind are enabled when they can be used without causing the remaining program time to equal the remaining time in the time window.

First, Swix et al. relates to VCR control of media. It is unclear how the teachings of Swix et al. could even be applied to the ultrasound device of Fenstemaker et al. to achieve similar effects. Applicants do not believe ultrasound devices include VCR-like conrols. Even if such controls were provided on a ultrasound device, it is unclear that disabling these controls would ensure that a job would finish within a predetermined time window, as taught by Swix et al. Furthermore, Applicants are unsure what aspect of Fenstemaker et al. would correspond to the "runtime" of the program of Swix et al.

Second, Swix et al. does not teach postponing an expiration as claimed, but rather teaches forcing a "job" to finish within a given period of time. Thus, even assuming proper motivation could be identified for combining Fenstemaker et al. and Swix et al, the claimed subject matter would not result.

Col. 4, lines 29-45 of Swix et al. (referenced in the office action) briefly describes the device of Swix et al. It is clear from the cited portion of Swix et al. that the expiration of a trial period is fixed. Swix et al. does not teach or suggest that expiration of a trial period is postponed, as claimed. The office action alleges that the grace period of Swix et al. corresponds to the claimed extension. However, it is clear from Swix et al. that the grace period is set at the beginning of viewing and effectively forms a part of the viewing window (or trial period).

Essentially, Swix et al. teaches forcing a "job" to finish within a predetermined time window, rather than extending the time window until a "job" is completed.

As claimed, postponing of the trial period is executed by the control section when the control section detects expiration of the trial period for a function during execution of a job thereof. Swix et al. at best suggests setting a grace period when a job or function is initiated, not when expiration of the trial period is detected during execution of the job.

Third, Swix et al. is completely non-analogous and non-applicable to the device of Fenstemaker et al. One skilled in the art of ultrasound devices would not look to the teachings of Swix et al. to modify the device of Fenstemaker et al.

Applicants note that, in relation to the prior art, Swix et al. describes at col. 2, lines 51-65 basing a completed program purchase on whether the end of the program is viewed. However, in this case, there is no trial period that is set according to a received instruction, as required by claim 7, and no postponing of the expiration of the period.

For all of these reasons, Applicants respectfully submit that the proposed combination of Fenstemaker et al. and Swix et al. would not have made claim 1 or claim 24 or any claim depending therefrom obvious.

Claim 25 likewise calls for postponing the expiration of the trial period of a function and the proposed combination of Fenstemaker et al. and Swix et al. is likewise deficient with respect to this claim.

The remaining applied documents do not remedy the deficiencies of Fenstemaker et al. and Swix et al. with respect to postponing the expiration of the trial period of a function. These remaining documents are also deficient with respect to various ones of the dependent claims.

By way of example, claim 5 calls for judging whether or not a function is operational. The office action contends that this feature is taught by Kohtani et al., but acknowledges that all functions of Fenstemaker et al. are operational. Because the functions are operational, one skilled in the art would not be motivated to check whether functions are operational. Moreover, Kohtani et al. relates to storing profiles of networked image forming devices. See Kohtani et al., abstract. It is not clear how Kohtani et al. is applicable to the device of Fenstemaker et al.

By way of further example, the proposed combination of Fenstemaker et al. and Shimizu et al. with respect to claims 17-21 is improper. The office action proposes to combine an

ultrasound system with an image recording apparatus. These are non-analogous, and one skilled in the art of ultrasound devices would not have looked to the teachings of Shimizu et al. to modify the device of Fenstemaker et al. Furthermore, the motivation suggested in the office action appears to simply provide an ultrasound device with the features of an image recording apparatus. The prior art must properly suggest a combination, but there is no suggestion that one skilled in the art of ultrasound devices would seek to provide an ultrasound device with a network scanner function, as specified in claim 21, for example. The features that the office action proposes to combine with the device of Fenstemaker et al. are totally unrelated to the primary function of Fenstemaker et al.

New claim 26 has been added. The subject matter of this claim is based on the original disclosure and thus no new matter is believed to be added. Claim 26 is believed to patentably distinguish over the applied documents for reasons similar to those discussed above with respect to claims 1 and 24.

The pending claims are believed to be allowable and favorable office action is respectfully requested.

Respectfully submitted,
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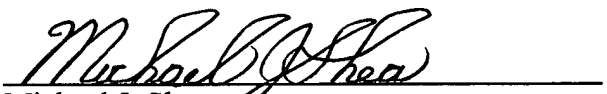
By: 
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